

RKW, LLC

Stacey Torres, Esq. (293522020)
10075 Red Run Blvd, Ste 401
Owings Mills, Maryland 21117
(443) 379-8941
storres@rkwlawgroup.com

*Attorneys for Defendant
eMerges.com Inc.*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ATLAS DATA PRIVACY CORPORATION *
As assignee of individuals who are Covered
Persons, JANE DOE-1, a law enforcement *
Officer; JANE DOE-2, a law enforcement
Officer; EDWIN MALDONADO SCOTT *
MALONEY, JUSTYNA MALONEY,
PATRICK COLLIGAN, PETER *
ANDREYEV, and WILLIAM SULLIVAN

Plaintiffs,

Civil Action No.

v.

E-MERGES.COM INC., RICHARD ROES *
1-10, fictitious names of unknown individuals *
And ABC COMPANIES 1-10, fictitious
Names of unknown entities *

* * * * *

E-MERGES.COM, INC.'S NOTICE OF REMOVAL

LOCAL RULE 10.1 STATEMENT

The Plaintiffs in this action are Atlas Data Privacy Corporation, Jane Doe-1, Jane Doe-2, Edwin Maldonada, Scott Maloney, Justyna Maloney, Patrick Culligan, Peter Andreyev, and William Sullivan. The address for Atlas Data Privacy Corporation's principal place of business is 201 Montgomery Street, Suite 263, Jersey City, New Jersey 07302. The street address for the

remaining plaintiffs is unknown to Defendant eMerges.com, Inc. and Defendant is unable to locate them. Plaintiffs are represented by:

Rajiv D. Parikh
Kathleen Barnett Einhorn
PEM Law LLP
1 Boland Drive, Suite 101
West Orange, New Jersey 07052

Genova Burns LLC
494 Broad Street
Newark, New Jersey 07102

Morgan & Morgan
207 North Franklin Street, 7th Floor
Tampa, Florida 33602

The Defendant in this action is eMerges.Com, Inc. (identified as E-MERGES.COM. INC. in the Plaintiffs' Complaint), a Maryland Corporation with its principal place of business at 212 Prince George's Street, Annapolis, Maryland 21401. Defendant is represented by

RKW, LLC
Stacey Torres, Esq. (293522020)
10075 Red Run Blvd, Ste 401
Owings Mills, Maryland 21117
(443) 379-8941
storres@rkwlawgroup.com

NOTICE OF REMOVAL

TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY, PLAINTIFFS, AND COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Defendant eMerges.com, Inc., by undersigned counsel, hereby files this Notice of Removal to remove the above-captioned case, with reservation of all rights and defenses, from the Superior Court of New Jersey, Bergen County, to the United States

District Court for the District of New Jersey, Newark Division, pursuant to 28 U.S.C. §§1332, 1367, 1441 and 1446. The grounds for removal are as follows:

1. On March 2, 2024, Shawn Harmon, resident agent for eMerges.com, Inc., was personally served with a Summons and Complaint filed by the Plaintiffs in the Superior Court of New Jersey.

2. Attached hereto as Exhibit A is a true copy of the Summons that was served upon eMerges.com, Inc.

3. Attached hereto as Exhibit B is a true copy of the Complaint that was served upon eMerges.com, Inc.

4. Attached hereto as Exhibit C is a true copy of other documents filed in this action in the Superior Court of New Jersey, Bergen County.

5. Plaintiff Atlas Data Privacy Corporation is a Delaware Corporation with its principal place of business in New Jersey.

6. Upon information and belief, the individual plaintiffs identified in the Complaint, all of whom are alleged to be current or former New Jersey law enforcement officers, are citizens of the State of New Jersey.

7. eMerges.com, Inc., is a Maryland Corporation with its principal place of business in Maryland.

8. eMerges.com, Inc., is the only named defendant in the Complaint. The fictitious defendants in the caption of the case should be disregarded for purposes of removal.

9. Complete diversity of citizenship between the plaintiffs and the defendant exists.

10. Plaintiffs assert claims pursuant to Daniel's Law, N.J.S.A. 56:8-166.1. The Complaint seeks statutory damages of \$1,000 for each violation of Daniel's Law, plus an

additional amount of punitive damages and attorneys' fees. Although the amount in controversy with respect to the claims of the individual plaintiffs cannot be ascertained from the Complaint, the amount in controversy with respect to plaintiff Atlas Data Privacy Corporation is well in excess of \$75,00. Atlas alleges that it is the assignee of the claims of approximately 18,369 individuals. Thus, the jurisdictional amount for diversity jurisdiction is satisfied with respect to Atlas Data Privacy Corporation's claim and even if the claims of the individual defendants do not exceed, this Court has supplemental jurisdiction over them pursuant to 28 U.S.C. §1367.

11. This notice of removal is being filed within 30 days of service of the Summons and Complaint upon eMerges.com. Inc., and, thus is timely.

12. Removal to the District of New Jersey, is proper given that this District encompasses Bergen County, New Jersey, the location where the case currently is pending in state court.

13. All pleadings and process are attached.

14. Pursuant to 28 U.S.C. § 1446(d) upon the filing of this Notice of Removal, the undersigned will promptly give written notice of the filing to Plaintiffs through their counsel of record and file a true and correct copy of this Notice of Removal and all documents attached hereto with the Clerk of the Superior Court of New Jersey, Bergen County.

WHEREFORE, Defendant eMerges.com, Inc., hereby removes the above-captioned action from the Superior Court of New Jersey, Bergen County.

Dated: April 1, 2024

Respectfully submitted,

RKW, LLC

By: /s/ Stacey Torres
Stacey Torres, Esq. (293522020)
10075 Red Run Blvd, Ste 401
Owings Mills, Maryland 21117
(443) 379-8941
storres@rkwlawgroup.com

*Attorneys for Defendant
eMerges.com Inc.*